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June 25, 2003

*Via Facsimile & First Class Mail*

Jesse B. Hammock, Esq.  
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***Re: KI v. WSC v. GSE***

Dear Jesse:

We write in regard to the depositions of Messrs. Malkin and Rakitin. Counsel had previously agreed that we could depose witnesses for more than one day because the use of interpreters would "greatly prolong the process" of depositions, as noted in that unquoted portion of the joint letter to Judge Davis. We did not address the issue in any more detail in the letter to Judge Davis, however, because either John or Charlie noted that under the Federal Rules of Civil Procedure counsel may merely agree to waive the 7 hour limitation, without approval from the Court.

Nonetheless, in the interest of moving discovery forward, and in light of the difficulty we have had in obtaining available dates for Messrs. Malkin and Rakitin, we will file a motion with the Court both asking for leave to take more than one day of deposition because of the need to use an interpreter for these depositions, and request that the Court also impose a deadline by which Messrs. Malkin and Rakitin must make themselves available for deposition.

Sincerely,

  
Margaret A. Keeley

cc: Charles L. Simmons, Jr. Esq.

EXHIBIT

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